## COX SMITH MATTHEWS

1.0 1. 25





Writer's Direct Number (210) 554-5389

112 EAST PECAN STREET
SUITE 1800
SAN ANTONIO, TEXAS 78205-1521
(210) 554-5500
FAX (210) 226-8395
WWW.COXSMITH.COM

Writer's E-Mail Address cballen@coxsmith.com

February 4, 2005

Mail Stop IDS Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Re: U.S. Patent Application No. 10/684,023

Filed: October 10, 2003

Entitled: System and Method For Assessment of Health Risks and

Visualization of Weight Loss and Muscle Gain

Inventors: Mario J. Bravomalo and Russ Edward Brucks

Our File No.: 29471.4

## Dear Sir or Madam:

Enclosed for filing are the following documents:

- 1. IDS Transmittal (1 sheet);
- 2. Information Disclosure Statement Form PTO/SB/08A and B (2 sheets);
- 3. Copies of cited non-patent references listed on Form PTO/SB/08B (6 References) (20 sheets); and
- 4. Acknowledgment Post Card.

It is believed that no fees should be necessary with this filing; however, the Commissioner is hereby authorized to charge any deficiency in fees or credit any overpayment to Deposit Account No. 03-3483.

Respectfully submitted,

Court & allen

Courtenay B. Allen Reg. No. 43,469

POST OFFICE TO ADDRESSEE

U.S. EXPRESS MAIL LABEL NO. EV417532401US

Date of Deposit: February 4, 2005

CBA/klb Enclosures

cc:

Mr. Daron Allen (w/encls.) Ms. Karen L. Briere (w/o encls.)

725862.1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

§

§

E APPLICATION OF: § . Mario J. Bravomalo and **Russ Edward Brucks** 

**GROUP ART UNIT: 2621** 

ATTY DKT NO.: 29471.4

SERIAL NO.: 10/684,023

FILED: October 10, 2003

**EXAMINER:** Not assigned

TITLE: System and Method For Assessment of Health Risks and Visualization of Weight §

Loss and Muscle Gain

Mail Stop IDS--NO FEE Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

## TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT WITHIN THREE MONTHS OF FILING OR BEFORE MAILING OF FIRST OFFICE ACTION

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a First Office Action on the merits, whichever event occurs last. 37 CFR 1.97(b).

Date: 2-4-2005

Courtenay B. Allen, Reg. No. 43,469

COX SMITH MATTHEWS INCORPORATED

112 East Pecan Street, Suite 1800 San Antonio, Texas 78205

Court & allan

(210) 554-5389

(210) 226-8395 Facsimile

PTO/SB/03A (10-01) Approved for use through 10/31/2002. OMB 0551-0331
U.S. Petent and Trademark Office: U.S. DEPARTMENT OF COMMERCE on unless it contains a valid OMB control number.

and the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.					
Substitute for form 1449A/PTO	Com	Complete if Known			
1	Application Number	10/684,023			
INFORMATION DISCLOSURE	Filing Date	October 10, 2003			
	First Named Inventor	Bravomalo, Mario J.			
STATEMENT BY APPLICANT	Art Unit	2621			
(use as many sheets as necessary)	Examiner Name	not assigned			
Sheet 1 of 2	Attorney Docket Number	29471.4			

		_	ATENT DOCUM		
Examiner Initials*	Cite No. <sup>1</sup>	<u>Document Number</u> Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	4602280	07-22-1986	Maloomian	
	A2	5687259	11-11-1997	Linford.	
	A3	5825941	10-20-1998	Linford.	
	A4	5854850	12-29-1998	Linford.	
	A5	5963214	10-05-1999	Cok.	
	A6	5982949	11-09-1999	Ohtsuka.	
	A7	5986671	11-16-1999	Fredlund.	
	A8	6095949	08-01-2000	Arai	
	A9	6336136	01-01-2002	Harris	
	A10	6348923	02-19-2002	Murata	

	FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Foreign Patent Document Country Code <sup>3</sup> 'Number <sup>4</sup> Kind Code <sup>3</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Te
						ĺ

Examiner	Date	
Signature	Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Petents, Alexandria, VA 22313-1450.

copy of this form with next communication to applicant.

'Applicant's unique citation designation number (optional).

'See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspig.ggv">www.uspig.ggv</a> or MPEP 901.04.

'Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 

'For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents. 

'Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 

'Applicant is to place a check mark here if English language Translation is attached.

The Course of the individual case. Any comments on the amount of time you.

PTO/SB/03B (10-01)  Approved for use through 10/31/2002 OMB 0651-0031  U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE  Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number					
Substitute for form 1449A/PTO			Complete if Known		
			Application Number	10/684,023	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT			Filing Date	October 10, 2003	
			First Named Inventor	Bravomalo, Mario J.	
			Art Unit	2621	
			Examiner Name	not assigned	
(use as many sheets as necessary)					
Sheet	2	of 2	Attorney Docket Number	29471.4	

		OTHER PRIOR ART—NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), TITLE OF THE ARTICLE (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T
	A11	EFIT, Efit MorphOver, Apr. 10, 2000, pp. 1-2, http://www./efit.com/morphover/	
	A12	Sound Feelings, Slim Photo Fitness Motivation Tool, Apr. 10, 2000, pp. 1-4, http://www.soundfeelingsnative_medicine/weight_loss/fitness.htm	
	A13	THE CLEVELAND CLINIC. Weight Cycling, March 2002, pp. 1-2, http://my.webmd.com/medical_information/condition_centers/weight_control/default.htm	
	A14	ADAMI, HANS-OLOV AND TRICHOPOULOS, DIMITRIOS. Obesity and Mortality from Cancer, The New England Journal of Medicine, April 24, 2003, pp. 1623-1624, Vol. 348:17, www.nejm.org.	
_	A15	DENOON, DANIEL. Beginner Workout Tip: Smash the Mirror, June 2003, pp. 1-2, http://my.webmd.com/content/Article/72/81520.htm	
	A16	BERKLEY, CHERIE. The Higher Cost of Heavier Employees, Jul. 30, 2003, pp. 1-2, http://my.webmd.com/content/Article/71/81439.htm	_
	_		+
	<u></u>		
			1
			+
			$\dagger$
,			$oxed{T}$
			+
			1

Examiner	Date	
Signature	Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional).

2 Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, VA 22313-1450.